

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

UNITED STATES OF AMERICA,)
v.) Plaintiff)
SCHERRY L. PIERCE,)
Defendant) No. 5:17-cv-05005-TLB

CONSENT JUDGMENT

Plaintiff, the United States of America, having filed its Complaint herein, and the Defendant, having consented to the making and entry of this Judgment without trial, hereby agree as follows:

1. This Court has jurisdiction over the subject matter of this litigation and over all parties thereto. The Complaint filed herein states a claim upon which relief can be granted.
2. The Defendant hereby acknowledges and accepts service of the Complaint and Summons filed herein.
3. On or about June 14, 2006, in the Western District of Arkansas, Fayetteville Division, the Defendant, Scherry L. Pierce, executed a promissory note to secure a loan of \$30,336.90 from U.S. Department of Education, at 8.25 percent interest per annum. The loan was made by the Department of Education under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a, et. seq. (34 C.F.R. Part 685). The Department of Education demanded payment according to the terms of the note and on January 2, 2010, the Defendant defaulted on the loan. The Department of Education

has credited a total of \$4,990.39 in payments from all sources, including Treasury Department offsets, if any, to the balance.

4. The Defendant hereby agrees to the entry of Judgment in the sum of \$56,087.33 and post judgment interest at the legal rate from the date of execution of this Consent Judgment until paid in full. The Defendant agrees to make monthly payments in an amount approved by the U.S. Attorney's Office, until the debt is paid in full.

5. This Consent Judgment shall be recorded among the records of the Circuit Court in the county of residence of the Defendant, and all other jurisdictions where it is determined by the United States that the Defendant owns real or personal property.

6. The Defendant shall keep the United States currently informed in writing of any material change in her financial situation or ability to pay, and of any change in her employment, place of residence or telephone number. Defendant shall provide such information to the United States Attorney, Financial Litigation Unit, 414 Parker Avenue, Fort Smith, Arkansas 72901.

7. The Defendant shall provide the United States with current, accurate evidence of her assets, income and expenditures (including, but not limited to, her Federal income tax returns) within fifteen (15) days of the date of a request for such evidence by the United States Attorney.

8. The United States will submit this debt to the Department of the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the Defendant, Scherry L. Pierce, would normally receive may be offset and applied to this debt.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that the Plaintiff recover and have judgment against the Defendant, SCHERRY L. PIERCE, in the amount of \$56,087.33 (principal sum of \$37,045.31, plus interest in the amount of \$18,692.02 accrued to December 1, 2016) with post judgment interest at the legal rate of 0.80%, pursuant to 28 U.S.C.

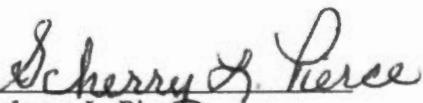
Section 1961(a) from date of judgment until judgment is paid in full, and \$350.00 filing fees pursuant to 28 U.S.C. §§ 1920 and 2412, and \$20.00 docket fees pursuant to 28 U.S.C. § 1923, and costs of this suit.

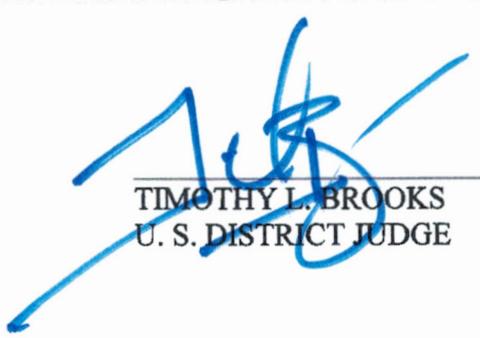
February 17, 2017 Date

Approved:



Mark W. Webb
Assistant U. S. Attorney


Scherry L. Pierce
Defendant


TIMOTHY L. BROOKS
U. S. DISTRICT JUDGE